

297-06/ROSS

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Attorneys for CHINESE-POLISH JOINT
STOCK SHIPPING COMPANY and
STEMBLAR SHIPPING COMPANY LIMITED
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James L. Ross (JR 6411)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNIWIRED TRADING LLC.,

ECF Case

Plaintiff,

07 CV 3427 (NRB)

- against -

M/V WLADYSLAW ORKAN, her engines,
boilers, etc., CHINESE-POLISH JOINT STOCK
SHIPPING COMPANY and STEMBLAR
SHIPPING COMPANY LIMITED,

**NOTICE OF MOTION TO DISMISS
THE VERIFIED COMPLAINT
PURSUANT TO RULE 12(b)(6)**

Defendants
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S I R S:

PLEASE TAKE NOTICE, that upon the accompanying Declaration of RADOSLAW CHMIELINSKI dated October 15, 2007, Exhibits A through E, the Memorandum of Law, and the pleadings and proceedings herein to date, the Defendants CHINESE-POLISH JOINT STOCK SHIPPING COMPANY ("CPJS") and STEMBLAR SHIPPING COMPANY LIMITED ("STEMBLAR") move this Court pursuant to Rule 12(b)(6) for a judgment on the pleadings seeking a dismissal of the Verified Complaint of the Plaintiff herein on the ground that the mandatory jurisdiction clause contained in the


ocean bill of lading contract of carriage requires any litigation against CPJS and STEMBLAR to be brought before the District Court of Gdansk, Poland.

Pursuant to the September 24, 2007 order of the Court, this Motion is to be filed by October 18, 2007, opposition papers are due by November 9, 2007 and a Reply to the opposition papers are due on November 23, 2007.

Dated: New York, New York
October 18, 2007

FREEHILL HOGAN & MAHAR, LLP
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POLISH JOINT STOCK SHIPPING
COMPANY and STEMBLAR
SHIPPING COMPANY LIMITED

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